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**OFFICE OF PETITIONS**

In re Application of :  
Robert H. Shelton :  
Application No. 09/025,279 : LETTER  
Filed: 18 February, 1998 :  
Atty Docket No. 050128-1010 :

This is a letter in response to the communication filed on 30 August, 2006, styled as a request for reconsideration under 37 CFR 1.183.

A petition under 37 CFR 1.183 to waive the rules and change the application filing date was filed on 1 August, 2005, and was dismissed on 18 November, 2005. A request for reconsideration was filed on 14 December, 2005, and was denied on 9 January, 2006.

Petitioner's request to accord a filing date of 17 February, 1998, was twice considered by the U.S. Patent and Trademark Office (USPTO) and was denied in the decision mailed on 9 January, 2006. As such, the decision mailed on 9 January, 2006, represents the conclusion of the consideration by the USPTO of petitioner's request to accord the above-identified application a filing date of 17 February, 1998.

Furthermore, with regard to applicant's request to change the filing date of provisional Application No. 60/037,869, a separate petition, including the required fee, must be filed in that application.<sup>1</sup>

Telephone inquiries concerning this matter may be directed to Senior Petitions Attorney Douglas I. Wood at 571-272-3231.

Charles A. Pearson  
Director, Office of Petitions

<sup>1</sup> 37 CFR 1.4(c), MPEP 501.